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PATENT
Attorney Docket No.: DVME-1003USDIV4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Suyker et al.	:	Group Art Unit: 3773
Application No.: 10/805,714	:	Examiner: Son Dang
Filing Date: March 22, 2004	:	Confirmation No.: 9243
Title: MECHANICAL ANASTOMOSIS SYSTEM FOR HOLLOW STRUCTURES		

REQUEST FOR REFUND

Mail Stop 16
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is a Request for Refund of claims fees in excess of 20. On May 18, 2009, an Amendment and Response to Final Rejection was filed. The Amendment resulted in a total of 30 claims, 3 of which are independent. The highest number of claims previously paid for is 27. Payment for the 3 additional claims was included at the time of filing the Amendment/Response at the small entity status rate.

On July 9, 2009, our Deposit Account Number 50-0462 was refunded the \$78 small entity claims in excess of 20 fee (code 2202) and then charged the large entity excess claims fee amount of \$156 (code 1202).

A Small Entity status statement was previously asserted by Applicants in the Response to Restriction Requirement and Assertion of Small Entity Status filed November 21, 2006. In addition, the small entity status was reiterated in the Terminal Disclaimer filed July 14, 2007. The Applicants have not submitted any statement indicating loss of small entity status and should therefore be entitled to pay the small entity fees.

U.S. Patent application no. 10/805,714

Applicants respectfully request a refund of \$156 to Deposit Account No. 50-0462 for the large entity status excess claims fee. The Director is hereby authorized to charge the small entity excess claims fee of \$78 to Deposit Account No. 50-0462.

Respectfully submitted,

/Kevin J. Dunleavy/
Kevin J. Dunleavy
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Dated: August 20, 2009

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Electronic Patent Application Fee Transmittal

Application Number:

10805714

Filing Date:

22-Mar-2004

Title of Invention:

Mechanical anastomosis system for hollow structures

First Named Inventor/Applicant Name:

Wilhelmus Joseph Leonardus Suyker

Filer:

Kevin James Dunleavy/Jeffrey Baker

Attorney Docket Number:

DVME-1003USDIV4

Filed as Small Entity

Utility under 35 USC 111(a) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
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Basic Filing:

Pages:

Claims:

Claims in excess of 20	2202	3	26	78
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Miscellaneous-Filing:

Petition:

Patent-Appeals-and-Interference:

Post-Allowance-and-Post-Issuance:

Extension-of-Time:

Adjustment date: 08/28/2009 SDIRETA1
07709/2009 PMERRILL 00000002 500462 10805714
01 FC:1202 156.00 CR

08/28/2009 SDIRETA1 00000012 500462 10805714
01 FC:2202 78.00 DA